

The House Committee on Judiciary Non-civil offers the following substitute to SB 413:

A BILL TO BE ENTITLED
AN ACT

To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to substantially and comprehensively revise provisions relating to the licensure and regulation of boxing, wrestling, and martial arts; to change provisions relating to unarmed combat; to provide for civil regulation and criminal penalties; to provide for the state regulatory body and its officers, agents, and operations; to provide for certain taxes and reporting; to repeal provisions regulating martial arts and wrestling; to provide for other matters related to the foregoing; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, is amended in Chapter 4B, relating to the Georgia Athletic and Entertainment Commission, by leaving Article 3 unchanged as it currently exists and by revising Articles 1 and 2 and adding a new Article 2A as follows:

"ARTICLE 1

43-4B-1.

As used in this chapter, the term:

(1) 'Amateur,' means a person who has never received nor competed for any purse or other article of value, either for the expenses of training or for participating in a match, other than a prize of \$100.00 in value or less. ~~when applied to a person engaged in boxing, wrestling, or a martial art, means a person who receives no compensation and engages in a match, contest, or exhibition of boxing, wrestling, or a martial art that is governed or authorized by:~~

(A) ~~U.S.A. Boxing;~~

(B) ~~The Georgia High School Athletic Association;~~

S. B. 413 (SUB)

(C) ~~The National Collegiate Athletic Association;~~
 (D) ~~Amateur Athletic Union;~~
 (E) ~~Golden Gloves;~~
 (F) ~~Team Georgia Amateur Wrestling;~~
 (G) ~~USA Wrestling;~~
 (H) ~~National High School Coaches Association;~~
 (I) ~~North American Sport Karate Association;~~
 (J) ~~International Sport Kick Boxing/Karate Association;~~
 (K) ~~World Kick Boxing Association;~~
 (L) ~~United States Kick Boxing Association;~~
 (M) ~~International Sport Combat Federation;~~
 (N) ~~Professional Karate Commission;~~
 (O) ~~International Kick Boxing Federation;~~ or
 (P) ~~The local affiliate of any organization listed in this paragraph.~~

(2) 'Amateur sanctioning organization' means any business entity organized for sanctioning and supervising matches involving amateurs.

~~(2)(3) 'Boxing match' means to compete with fists, a contest between two individuals in which contestants score points in rounds of two or three minutes by striking with padded fists the head and upper torso of the opponent or by knocking the opponent down and rendering the opponent unconscious or incapable of continuing the contest by such blows, which contest is held in a square ring supervised by a referee and scored by three judges.~~

~~(3) 'Boxing registry' means a registry created or designated pursuant to subsection (j) of Code Section 43-4B-4.~~

~~(3.1) 'Charitable organization' means an entity described by:~~

~~(A) Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3));~~
~~or~~

~~(B) Section 170(c), Internal Revenue Code of 1986 (26 U.S.C. Section 170(c)).~~

(4) 'Commission' means the Georgia Athletic and Entertainment Commission.

(4.1) 'Event' means the totality of all matches, contests, or exhibitions held at one occasion.

(5) 'Exhibition' means a contest where the participants engage in the use of boxing, kickboxing, wrestling, mixed martial arts, or martial arts skills and techniques and where the objective is to display such skills and techniques without striving to win and includes but is not necessarily limited to the use of strikes and blows to the head.

(6) 'Face value' means the dollar value of a ticket or order, which value shall reflect the dollar amount that the customer is required to pay or, for complimentary tickets, would

1 have been required to pay to purchase a ticket with equivalent seating priority in order
 2 to view the ~~match, contest, exhibition, or entertainment~~ event. A complimentary ticket
 3 shall not have a face value of \$0.00. A complimentary ticket shall not have a face value
 4 of less than that of the least expensive ticket available for sale to the general public. ~~Face~~
 5 ~~value shall include any charges or fees, such as dinner, gratuity, parking, surcharges, or~~
 6 ~~any other charges or fees which are charged to and must be paid by the customer in order~~
 7 ~~to view the match, contest, exhibition, or entertainment event. It shall exclude any~~
 8 ~~portion paid by the customer for federal, state, or local taxes.~~

9 (7) 'Gross proceeds' means the total revenue received solely from the sale of tickets used
 10 or intended to be used by the audience physically attending any event required to be
 11 licensed under this chapter.

12 (8) 'Gross receipts' means:

13 (A) ~~The gross price charged for the sale or lease of broadcasting, television, pay per~~
 14 ~~view, closed circuit, or motion picture rights without any deductions for commissions,~~
 15 ~~brokerage fees, distribution fees, production fees, advertising, or other expenses or~~
 16 ~~charges;~~

17 (B) ~~The face value of all tickets sold and complimentary tickets issued, provided, or~~
 18 ~~given; and~~

19 (C) ~~The face value of any seats issued, provided, or given in exchange for advertising,~~
 20 ~~sponsorships, or anything of value to the promotion of an event.~~

21 (9) 'Local tax' means ~~any occupation tax or other tax owed to a county or municipality~~
 22 ~~in order to hold a match, contest, or exhibition or to carry on a business as a ticket broker~~
 23 ~~within such county or municipality.~~

24 (9.1)(7) 'Kickboxing' means to compete with the fists, feet, legs, or any combination
 25 thereof and includes punchkick and other similar competitions. ~~unarmed combat~~
 26 ~~involving the use of striking techniques delivered with the upper and lower body and in~~
 27 ~~which the competitors remain standing while striking.~~

28 (8) 'Local tax' means any occupation tax or other tax owed to a county or municipality
 29 in order to hold an event or to carry on a business as a ticket broker within such county
 30 or municipality.

31 ~~(10)(9) 'Manager' means a~~ any person who, directly or indirectly, controls or administers
 32 the boxing, kickboxing, or mixed martial arts affairs of any participant. ~~under contract,~~
 33 ~~agreement, or other arrangement with a boxer, undertakes to control or administer,~~
 34 ~~directly or indirectly, a matter related to boxing on behalf of a boxer. Such term includes,~~
 35 ~~but is not limited to, a person who functions as a booking agent, adviser, or consultant.~~

36 (9.1) 'Match' means a bout, contest, or performance between two or more licensees.

~~(10.1) 'Martial art' means any form of unarmed combative sport or unarmed combative entertainment that allows contact striking, except boxing or wrestling.~~

~~(10.2)~~(10) 'Matchmaker' means a person who brings together professionals or arranges matches for boxing, kickboxing, or mixed martial arts professionals. ~~is employed by or associated with a promoter in the capacity of booking and arranging professional matches, contests, or exhibitions between opponents or who proposes professional matches, contests, or exhibitions and selects and arranges for the participants in such events and for whose activities in this regard the promoter is legally responsible.~~

(11) 'Mixed martial arts' means unarmed combat involving the use, subject to the provisions of this chapter, of a combination of techniques from different disciplines of the martial arts, including but not limited to grappling, kicking, and striking. ~~submission holds, and strikes with the upper and lower body.~~

(11.1) 'Original purchaser for personal use' means a person who buys one or more tickets with the intention of using the ticket or tickets solely for the use of the purchaser or the purchaser's invitees, employees, and agents. An original purchaser who resells more than six tickets to the same athletic contest or entertainment event and who resells tickets to an athletic contest or entertainment event for more than 105 percent of their face value shall be rebuttably presumed to be engaging in the business of a ticket broker in any criminal prosecution or civil action, order, or penalty by the commission.

~~(11.2) 'Patron boxing,' 'patron wrestling,' or 'patron martial arts' means boxing, wrestling, or martial arts that is not:~~

~~(A) Governed or authorized by any organization listed in paragraph (1) of this Code section;~~

~~(B) Governed or authorized by an organization licensed by the commission in accordance with this chapter;~~

~~(C) Governed or authorized by an organization exempted from licensure by the commission in accordance with this chapter; and~~

~~(D) Licensed by the commission in accordance with Article 2 of this chapter.~~

~~(11.3) 'Pay per view' means a telecast for which a fee is required in addition to any other fee paid by the viewer for any other services of the telecaster.~~

(12) 'Participant' means a professional competing in boxing, kickboxing, or mixed martial arts. ~~'Person' means any individual, partnership, firm, association, corporation, or combination of individuals of whatever form or character.~~

(13) 'Physician' means an individual licensed to practice medicine or surgery by any state. ~~a doctor of medicine or other medical professional legally authorized by any state to practice medicine.~~

1 (14) 'Professional' means a person who has received or competed for any purse or other
2 article of a value greater than \$100.00, either for the expenses of training or for
3 participating in any match. ~~is participating or has participated in a match, contest, or~~
4 ~~exhibition which is not governed or authorized by one or more of the organizations listed~~
5 ~~in paragraph (1) of this Code section and:~~

6 (A) ~~Has received or competed for or is receiving or competing for any cash as a salary,~~
7 ~~purse, or prize for participating in any match, contest, or exhibition;~~

8 (B) ~~Is participating or has participated in any match, contest, or exhibition to which~~
9 ~~admission is granted upon payment of any ticket for admission or other evidence of the~~
10 ~~right of entry;~~

11 (C) ~~Is participating or has participated in any match, contest, or exhibition which is or~~
12 ~~was filmed, broadcast, or transmitted for viewing; or~~

13 (D) ~~Is participating or has participated in any match, contest, or exhibition which~~
14 ~~provides a commercial advantage by attracting persons to a particular place or~~
15 ~~promoting a commercial product or enterprise.~~

16 (14.1) 'Professional wrestler' means a person who performs as a wrestler before, during,
17 or after a professional wrestling event which is in conjunction in any way with the event
18 or its script. Such persons shall meet all qualifications for licensure and pay the
19 prescribed fee.

20 (15) 'Professional wrestling' means any performance of wrestling skills and techniques
21 by two or more professional wrestlers to which any admission is charged. Participating
22 wrestlers may not be required to use their best efforts in order to win; the winner may
23 have been selected before the performance commences; and contestants perform for
24 valuable consideration. ~~match, contest, or exhibition' means a match, contest, or~~
25 ~~exhibition which is not governed or authorized by one or more of the organizations listed~~
26 ~~in paragraph (1) of this Code section and:~~

27 (A) ~~Rewards a participant with cash as a salary, purse, or prize for such participation;~~

28 (B) ~~Requires for admission payment of a ticket for admission or other evidence of the~~
29 ~~right of entry;~~

30 (C) ~~Is filmed, broadcast, or transmitted for viewing; or~~

31 (D) ~~Provides a commercial advantage by attracting persons to a particular place or~~
32 ~~promoting a commercial product or enterprise.~~

33 (16) 'Promoter' means the person primarily responsible for organizing, promoting, and
34 producing a professional ~~match, contest, or exhibition~~ event and who is legally
35 responsible for the lawful conduct of such professional ~~match, contest, or exhibition~~
36 event.

~~(16.1) 'Promotion of unarmed combat' means the organization, promotion, production, publicizing, or arranging of, or provision of a venue for, a competition of unarmed combat by a person who receives some compensation or commercial benefit from such competition.~~

~~(17) 'Purse' or 'ring earnings' means the financial guarantee or any other remuneration; or part thereof, for which a professional boxers or wrestlers are is participating in a match, contest, or exhibition and includes the boxer's or wrestler's professional's share of any payment received for radio broadcasting, television, or and motion picture rights.~~

~~(17.1) 'Shidokan' means unarmed combat involving three separate, segregated rounds in which karate rules and techniques are exclusively used in one round, kickboxing rules and techniques are exclusively used in one round, and grappling rules and techniques are exclusively used in one round.~~

~~(18) 'State' means any of the 50 states, Puerto Rico, the District of Columbia, and any territory or possession of the United States.~~

~~(19)~~(18) 'Ticket broker' means:

(A) Any person who is involved in the business of reselling tickets of admission to athletic contests, concerts, theater performances, amusements, exhibitions, or other entertainment events held in this state to which the general public is admitted and who charges a premium in excess of the price of the ticket; or

(B) Any person who has a permanent office or place of business in this state who is involved in the business of reselling tickets of admission to athletic contests, concerts, theater performances, amusements, exhibitions, or other entertainment events held inside or outside this state to which the general public is admitted and who charges a premium in excess of the price of the ticket.

The term ticket broker shall not include the owner, operator, lessee, or tenant of the property in which an athletic contest or entertainment event is being held or the sponsor of such a contest or event or the authorized ticket agent of such persons.

~~(20)~~(19)(A) 'Unarmed combat' means any form of competition between human beings or one or more human beings and one or more animals in which:

(i) One or more blows are struck which may reasonably be expected to inflict injury on a human being; and

(ii) There is some compensation or commercial benefit arising from such competition, whether in the form of cash or noncash payment to the competitors or the person arranging the competition; the sale of the right to film, broadcast, transmit, or view the competition; or the use of the competition to attract persons to a particular location for some commercial advantage or to promote a commercial product or commercial enterprise.

1 ~~Such term also means any amateur kickboxing match in which the competitors are not~~
2 ~~wearing protective gear.~~

3 (B) Unarmed combat shall include but shall not be limited to: tough man fights, bad
4 man fights, nude boxing, nude wrestling, patron boxing, patron martial arts, and patron
5 wrestling.

6 (C) Unarmed combat shall not include: any professional or amateur activities licensed,
7 governed, or authorized under this chapter.

8 ~~(i) Professional boxing licensed in accordance with this chapter;~~

9 ~~(ii) Professional wrestling governed or authorized by an organization licensed or~~
10 ~~exempted from licensure in accordance with this chapter;~~

11 ~~(iii) Amateur boxing governed or authorized by an organization listed in paragraph~~
12 ~~(1) of this Code section;~~

13 ~~(iv) Amateur wrestling governed or authorized by an organization listed in paragraph~~
14 ~~(1) of this Code section;~~

15 ~~(v) Any competition displaying the skills of a single form of an Oriental system of~~
16 ~~unarmed combative sports or unarmed combative entertainment, including, but not~~
17 ~~limited to, kickboxing, karate, or full-contact karate, that is held pursuant to the rules~~
18 ~~of that form and governed or authorized by an organization licensed by the~~
19 ~~commission in accordance with Article 4 of this chapter;~~

20 ~~(vi) Shidokan when the competition is governed or authorized by an organization~~
21 ~~licensed by the commission in accordance with Article 4 of this chapter;~~

22 ~~(vii) Mixed martial arts fighting when the competition is governed or authorized by~~
23 ~~an organization licensed by the commission in accordance with Article 4 of this~~
24 ~~chapter; or~~

25 ~~(viii) Other martial arts competitions, when governed or authorized by an~~
26 ~~organization licensed by the commission in accordance with Article 4 of this chapter.~~

27 (21) 'Wrestling' means:

28 ~~(A) A staged performance of fighting and gymnastic skills and techniques by two or~~
29 ~~more human beings who are not required to use their best efforts in order to win and for~~
30 ~~which the winner may have been selected before the performance commences; or~~

31 ~~(B) A performance of fighting and gymnastic skills and techniques by two or more~~
32 ~~human beings.~~

33 43-4B-2.

34 (a) No event involving amateurs which utilizes, but is not necessarily limited to, strikes
35 or blows may be held in this state unless it is sanctioned and supervised by an amateur
36 sanctioning organization approved by the commission. An approved amateur sanctioning

organization may only sanction and supervise the events in the particular sport or sports for which it has expertise and for which it is approved by the commission.

(b) The commission shall not approve any amateur sanctioning organization unless such organization has adopted and agreed to enforce a defined set of standards that applies to all events which will adequately protect the health and safety of the amateurs participating in the events and the public and can adequately demonstrate to the satisfaction of the commission that the principals of the organization have sufficient background, training, and experience in sanctioning and supervising events for which the organization is approved.

(c) Periodic compliance checks shall be performed by a representative of the commission designated by the executive director in order to ensure enforcement of approved health and safety standards and supervision of events by the approved amateur sanctioning organization.

(d) Any member of the commission or the executive director may suspend the approval of an amateur sanctioning organization for failure to supervise amateur events or to enforce the approved health and safety standards required under this chapter, provided that the suspension complies with the summary suspensions pursuant to Code Section 43-4B-13.

At any amateur boxing, kickboxing, or mixed martial arts event, any member of the commission or a representative of the commission may immediately suspend one or more matches in an event whenever it appears that a match violates the health and safety standards established by rule as required by this chapter. A law enforcement officer may assist any member of the commission or a representative of the commission to enforce an order to stop an event if called upon to do so by such member of the commission or a representative of the commission.

(e) The commission shall review its approval of the amateur sanctioning organization at least biennially, or sooner if determined necessary based upon the periodic compliance checks or complaints to the commission, to determine continuation of approval. The commission may continue approval or may suspend or revoke approval based upon compliance of the organization with the approved sanctioning organization's standards and its ability to supervise events in the state.

(f) The commission may refuse to approve any amateur sanctioning organization or may revoke any such approval if any officer, director, or stockholder of the amateur sanctioning organization or any person who produces, arranges, or stages any event sanctioned and approved by the amateur sanctioning organization has been convicted of, has pleaded guilty to, has entered a plea of nolo contendere to, or has been found guilty of a crime involving moral turpitude in any jurisdiction within the ten years preceding the refusal or revocation. This subsection shall apply, but shall not be limited, to dispositions under Article 3 of Chapter 8 of Title 42.

(g)(1) No person who has pleaded guilty to, has entered a plea of nolo contendere to, or has been found guilty of a felony in any jurisdiction for a period of ten years from the date of such conviction or plea shall produce, arrange, or stage any amateur kickboxing or amateur mixed martial arts match or event.

(2) This subsection shall apply to any person, including any officer, director, employee, or stockholder of a corporation, who produces, arranges, or stages any amateur kickboxing or amateur mixed martial arts match or event.

(3) This subsection shall apply, but shall not be limited, to dispositions under Article 3 of Chapter 8 of Title 42.

(h) This Code section shall not apply to any match conducted or sponsored by a bona fide nonprofit school or education program whose primary purpose is instruction in the martial arts, boxing, or kickboxing if the match held in conjunction with the instruction is limited to amateur participants who are students of the school or instructional program.

(i) No match involving amateurs which utilizes, but is not necessarily limited to, strikes or blows may be held in this state unless it is sanctioned and supervised by an amateur sanctioning organization approved by the commission as required by this chapter.

(j) Any competition of unarmed combat shall not be permitted. Any person participating in holding, promoting, or sponsoring an event prohibited under this Code section knowing such activities to be prohibited shall be guilty of a misdemeanor and shall be additionally subject to the provisions of Code Sections 43-4B-19 and 43-43-20.1.

~~(a) The provisions of this chapter shall not be construed to apply to any match, contest, or exhibition:~~

~~(1) In which the contestants are all amateurs; and~~

~~(2) Which is governed or authorized by:~~

~~(A) U.S.A. Boxing;~~

~~(B) The Georgia High School Athletic Association;~~

~~(C) The National Collegiate Athletic Association;~~

~~(D) Amateur Athletic Union;~~

~~(E) Golden Gloves;~~

~~(F) Team Georgia Amateur Wrestling;~~

~~(G) USA Wrestling;~~

~~(H) National High School Coaches Association;~~

~~(I) North American Sport Karate Association;~~

~~(J) International Sport Kick Boxing/Karate Association;~~

~~(K) World Kick Boxing Association;~~

~~(L) United States Kick Boxing Association;~~

~~(M) International Sport Combat Federation;~~

1 ~~(N) Professional Karate Commission;~~

2 ~~(O) International Kick Boxing Federation; or~~

3 ~~(P) The local affiliate of any organization listed in this paragraph.~~

4 ~~(b) The provisions of this chapter shall not apply to any matches, contests, or exhibitions~~
5 ~~of professional wrestling or to a promoter or organization that promotes, organizes, or~~
6 ~~governs such matches, contests, or exhibitions where such promoter or organization is a~~
7 ~~corporation that, at the time of such matches, contests, or exhibitions:~~

8 ~~(1) Is registered under the federal Securities Exchange Act of 1934; and~~

9 ~~(2) Has total assets of not less than \$25,000,000.00.~~

10 43-4B-3.

11 ~~(a) The State Boxing~~ Georgia Athletic and Entertainment ~~Commission in existence~~
12 ~~immediately prior to July 1, 2001,~~ is continued in existence subject to the provisions of this
13 ~~chapter. On and after July 1, 2001, the name of such commission shall be the Georgia~~
14 ~~Athletic and Entertainment Commission.~~ The membership of the commission shall
15 continue unchanged except as otherwise expressly provided by this chapter.

16 (b) The commission shall be composed of five members appointed by the Governor. Each
17 member of the commission shall be appointed for a term of four years and until his or her
18 successor is appointed. Vacancies shall be filled for the unexpired terms under the same
19 procedures and requirements as appointments for full terms.

20 (c) Three consecutive unexcused absences or absences constituting 50 percent or more of
21 the commission's meetings within any 12 month period shall cause the commission
22 membership of the member in question to become void, and the position shall be
23 considered vacant. Upon such vacancy, the position shall be filled in the same manner as
24 set forth in subsection (b) of this Code section. The commission shall, by rule, define
25 unexcused absences.

26 ~~(c)~~(d) The commission shall elect a chairperson from among its membership for a term of
27 one year. The commission may elect a vice chairperson from its membership for a term of
28 one year. Any member serving as chairperson shall be eligible for successive election to
29 such office by the commission.

30 ~~(d)~~(e) The commission's medical advisory panel, appointed by ~~the Governor~~ majority vote
31 of the commission, shall consist of four persons licensed to practice medicine in Georgia
32 pursuant to the provisions of Chapter 34 of this title. They shall represent the specialties
33 of neurology, ophthalmology, sports medicine, and general medicine. The medical advisory
34 panel shall advise and assist the commission and its staff regarding issues and questions
35 concerning the medical safety of applicants or licensees, including, but not limited to,
36 matters relating to medical suspensions. The medical advisory panel may meet separately

1 from the commission to discuss and formulate recommendations for the commission in
2 connection with medical safety. Members of the medical advisory panel shall not be
3 counted in determining a quorum of the commission and shall not vote as commission
4 members.

5 ~~(e)~~(f) Each member of the commission and the medical advisory panel shall be reimbursed
6 for expenses and travel as provided for members of various professional licensing boards
7 in subsection (f) of Code Section 43-1-2.

8 (g) The commission shall be authorized to join and participate in the activities of the
9 Association of Boxing Commissions.

10 43-4B-4.

11 (a) The commission is shall be the sole regulator of ~~professional~~ boxing, kickboxing,
12 mixed martial arts, and ticket brokers in Georgia and shall have authority to protect the
13 physical safety and welfare of ~~professional boxers~~ participants and serve the public interest
14 by closely supervising all ~~professional~~ boxing, kickboxing, mixed martial arts, and ticket
15 brokers in Georgia.

16 (b) The commission shall have the sole jurisdiction to license the promotion or holding of
17 each professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, and mixed
18 martial arts promoted or held within this state.

19 (c) The commission shall have the sole authority to license participants in any professional
20 ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts held in this
21 state.

22 (d) The commission ~~has~~ shall have the authority to direct, manage, control, and supervise
23 all professional ~~matches, contests, or exhibitions~~ events of boxing, kickboxing, and mixed
24 martial arts. ~~It may adopt bylaws for its own management and promulgate and enforce~~
25 ~~rules and regulations consistent with this chapter.~~

26 (e) The commission or its executive director may appoint one or more ~~inspectors~~ officials
27 as duly authorized representatives of the commission to ensure that the commission's rules
28 are strictly observed. Such ~~inspectors shall~~ officials may be present at all professional
29 ~~matches, contests, or exhibitions~~ events of boxing, kickboxing, and mixed martial arts.

30 (f) The commission or its executive director shall assign to each professional boxing,
31 kickboxing, or mixed martial arts match at least one physician who shall observe the
32 physical condition of the participants and advise the commission or commission
33 representative in charge and the referee of the participants' conditions before, during, and
34 after the match. The commission shall establish a schedule of fees for the physician's
35 services. The physician's fee shall be paid by the promoter of the match attended by the
36 physician. ~~may designate physicians as duly authorized representatives of the commission~~

1 ~~to conduct physical examinations of boxers licensed under this chapter and shall designate~~
2 ~~a roster of physicians authorized to conduct prefight physicals and serve as ringside~~
3 ~~physicians in all professional boxing matches held in this state.~~

4 (g) In addition to any other required examination, each participant shall be examined by
5 the attending physician at the time of weigh-in. If the physician determines that a
6 participant is physically or mentally unfit to proceed, the physician shall notify any
7 commissioner or the commission representative who shall immediately cancel the match.
8 Such examination shall conform to rules adopted by the commission. The result of the
9 examination shall be reported in writing signed by the physician and filed with the
10 commission prior to completion of the weigh-in.

11 (h) The commission may require, by rule, each participant to present to the commission
12 representative at the time of weigh-in or prior to weigh-in an original copy of blood test
13 results which demonstrate that the participant is free from any communicable disease. If
14 such blood test results are required by the commission and such results are not presented
15 as required by the commission rule or if such results reveal the participant has a
16 communicable disease, the commission representative shall immediately cancel the match.
17 The commission may adopt, by rule, protocols and procedures for the blood tests and the
18 cancellation of a match, a list of communicable diseases covered by this subsection, and
19 a time period within which the blood test shall be taken prior to the match.

20 (i) The commission or any agent duly designated by the commission may make
21 investigations. The commission may hold hearings; issue subpoenas to compel the
22 attendance of witnesses and the production of books, papers, and records; and administer
23 oaths to and examine any witnesses for the purpose of determining any question coming
24 before it under this chapter or under the rules and regulations adopted pursuant to this
25 chapter. During an investigation of any allegation which, if proven, would result in
26 criminal or civil sanctions as provided in this chapter, the commission may withhold all or
27 a portion of the gross receipts to which the person under investigation is entitled until such
28 time as the matter has been resolved.

29 ~~(h) The commission shall be authorized to engage in activities which promote amateur~~
30 ~~boxing in this state and to contract with any nonprofit organization which is exempted from~~
31 ~~the taxation of income pursuant to Code Section 48-7-25 for the provision of services~~
32 ~~related to the promotion of amateur boxing in this state. To support amateur boxing in this~~
33 ~~state, the commission may promote voluntary contributions through the application process~~
34 ~~or through any fund raising or other promotional technique deemed appropriate by the~~
35 ~~commission.~~

36 ~~(i)~~(j) Pursuant to 15 U.S.C.A. Section 6301, et seq., the commission ~~is~~ shall be authorized
37 to issue to each ~~boxer~~ participant who is a resident of this state an identification card

bearing the ~~boxer's~~ participant's photograph and in such form and containing such information as the commission deems necessary and appropriate. The commission ~~is~~ shall ~~be~~ expressly authorized to ensure that the form and manner of issuance of such identification cards comply with any applicable federal law or regulation. The commission ~~is~~ shall be authorized to charge an amount not to exceed \$100.00 per card for the issuance or replacement of each identification card.

~~(j)(k)~~ (k) The commission ~~is~~ shall be authorized to create a ~~boxing~~ registry or to designate a nationally recognized ~~boxing~~ registry and to register each ~~boxer~~ participant who is a resident of this state or who is a resident of another state which has no ~~boxing~~ registry.

~~(k)(l)~~ (l) The commission ~~is~~ shall be authorized to inquire into the financial backing of any professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts, and obtain answers to written or oral questions propounded to all persons associated with such professional event.

~~(l)(m)~~ (m) The commission ~~is~~ shall be authorized to receive tax payments in accordance with Code Section 43-4B-20, and to remit such tax payments to the general treasury.

(n) The commission shall not be a professional licensing board but shall have, with respect to all matters within its jurisdiction, the powers, duties, and functions of such licensing boards as provided in Chapter 1 of this title.

43-4B-5.

The Secretary of State shall designate the ~~secretary~~ executive director of the commission, who shall issue licenses and identification cards and perform such other duties as the commission may direct to carry out the provisions of this chapter. The executive director shall keep a record of all proceedings of the commission; shall preserve all books, papers, and documents pertaining to the business of the commission; shall prepare any notices and papers required; shall appoint judges, referees, and other officials as delegated by the commission and pursuant to this chapter and rules of the commission; and shall perform such duties as the Secretary of State or commission directs.

43-4B-6.

(a) The commission shall meet upon the call of the chairperson or upon the call of any two members. The business of the commission shall be conducted by a majority vote of the members present. A majority of the commission members shall constitute a quorum.

(b) The chairperson, if necessary, may within ten days of receiving an application and license fee call a meeting of the commission for the purpose of approving or rejecting an application for a license or match permit which has been submitted to the commission. The

meeting shall be held within 20 days of the chairperson's call at a place designated by the chairperson.

43-4B-7.

~~The commission shall adopt rules and regulations governing professional boxing to establish the following:~~

The commission shall administer the provisions of this chapter. The commission shall have the authority to adopt rules pursuant to this chapter to implement each of the duties and responsibilities conferred upon the commission, including, but not limited to:

(1) Developing an ethical code of conduct for commissioners, commission staff, and commission officials;

(2) Establishing duties and responsibilities of all licensees for boxing, kickboxing, and mixed martial arts under this chapter;

(3) Establishing procedures for hearings and resolution of disputes;

(4) Establishing fee and reimbursement schedules for referees and other officials appointed by the commission or the commission representative for events involving boxing, kickboxing, and mixed martial arts;

(5) Establishing criteria for approval, disapproval, suspension of approval, and revocation of approval of amateur sanctioning organizations for amateur boxing, kickboxing, and mixed martial arts events held in this state, including, but not limited to, the health and safety standards the organizations use before, during, and after the events to ensure the health, safety, and well-being of the amateurs participating in the events, including the qualifications and numbers of health care personnel required to be present, the qualifications required for referees, and other requirements relating to the health, safety, and well-being of the amateurs participating in the events. The commission may adopt by rule, or incorporate by reference into rule, the health and safety standards of USA Boxing as the minimum health and safety standards for an amateur boxing organization and the health and safety standards of the International Sport Kickboxing Association as the minimum health and safety standards for an amateur kickboxing and mixed martial arts sanctioning organization. The commission shall review its rules for necessary revision at least every two years and may adopt by rule, or incorporate by reference into rule, the then existing current health and safety standards of USA Boxing and International Sport Kickboxing Association. The commission may adopt emergency rules to administer this paragraph;

~~(1)(6)~~ (6) Establishing procedures ~~Procedures~~ to evaluate the professional records and physicians' certifications of each ~~boxer participating~~ participant in a professional match;

~~contest, or exhibition event~~ of boxing, kickboxing, and mixed martial arts, and to deny authorization for a ~~professional boxer~~ participant to fight where appropriate;

~~(2)(7) Establishing procedures~~ Procedures to ensure that, except as otherwise provided in subsection (c) of Code Section 43-4B-13, no ~~professional boxer~~ participant is permitted to ~~box~~ compete while under suspension from any state boxing commission because of:

(A) A recent knockout, technical knockout, or series of consecutive losses;

(B) An injury, requirement for a medical procedure, or physician's denial of certification;

(C) Failure of a drug test; or

(D) The use of false aliases or falsifying official identification cards or documents; and

~~(3)(8) Establishing procedures~~ Procedures to report to ~~the boxing~~ a registry, including the Association of Boxing Commissions certified registry, the results of all professional ~~matches, contests, or exhibitions~~ events of boxing, kickboxing, and mixed martial arts held in this state or being supervised by the commission and any related suspensions.

43-4B-8.

(a) A member of the commission, an employee of the commission, the commission's executive director, a referee or judge licensed by the commission, or an attending physician shall not have any direct or indirect financial or pecuniary interest in any participant or the outcome of a fight.

(b) A manager, trainer, or second of any participant shall not have any direct or indirect financial or pecuniary interest in the opponent in any match in which his or her own participant participates.

(c) A participant shall not have any direct or indirect financial or pecuniary interest in his or her opponent in any match.

(d) Any person who violates this Code section shall be guilty of a misdemeanor and shall additionally be subject to the civil enforcement provisions of Code Sections 43-4B-19 and 43-4B-20.1.

~~No member or employee of the commission and no person who administers or enforces the provisions of this chapter or rules promulgated in accordance with this chapter may belong to, contract with, or receive any compensation from any person or organization who authorizes, arranges, or promotes professional matches, contests, or exhibitions of boxing, martial arts, or wrestling or who otherwise has a financial interest in any activity or licensee regulated by this commission. The term 'compensation' does not include funds held in escrow for payment to another person in connection with a professional match, contest, or exhibition of boxing, martial arts, or wrestling.~~

ARTICLE 2

43-4B-10.

(a) No person shall promote or hold a professional ~~match, contest, or exhibition event~~ of boxing, kickboxing, or mixed martial arts within this state without first applying for and obtaining a promoter's license from the commission. Licenses shall be issued annually and shall expire on December 31 of each calendar year.

(b) Promoters shall apply to the commission for a license required by subsection (a) of this Code section on a form provided by the commission. The application shall be accompanied by a nonrefundable fee not to exceed \$250.00 in the form of a ~~cashier's check~~ or money order made out to the commission. The application shall also be accompanied by a performance bond in an amount and under such conditions as the commission may require.

Surety bonds shall be required as follows:

(1) Before any license is issued or renewed to a promoter and before any permit is issued to a promoter, he or she shall file a surety bond or cash equivalent with the commission in such reasonable amount, but not less than \$25,000.00 for professional boxing, kickboxing, or mixed martial arts, as the commission determines;

(2) All bonds shall be upon forms approved and supplied by the commission;

(3) The sufficiency of any surety shall be subject to approval of the commission;

(4) The surety bond shall be conditioned upon the faithful performance by the promoter of his or her obligations under this chapter and upon the fulfillment of his or her contracts with any other licensees under this chapter. However, the aggregate annual liability of the surety for all obligations and fees shall not exceed the amount of the bond; and

(5) Recovery may be made against any bond or other security in the same manner as penalties are recoverable at law.

(c) No person shall promote or hold a professional ~~match, contest, or exhibition event~~ of boxing, kickboxing, or mixed martial arts within this state without first applying for and obtaining a match permit from the commission for such professional ~~match, contest, or exhibition event~~ of boxing, kickboxing, or mixed martial arts, in addition to the license required by subsection (a) of this Code section. Each application for a match permit shall be on a form provided by the commission and shall be accompanied by a nonrefundable application fee not to exceed \$250.00 in the form of a ~~cashier's check~~ or money order made out to the commission. The commission may charge an additional match fee in accordance with rules and regulations promulgated by the commission to implement the provisions of this article.

(d) ~~The commission may, prior to issuing any match permit, require a performance bond in addition to that required in subsection (b) of this Code section.~~ Any person who violates

this Code section shall be guilty of a misdemeanor and shall additionally be subject to the provisions of Code Sections 43-4B-19 and 43-4B-20.1.

~~(e) The commission may refund any portion of the match permit fee in excess of \$250.00 to any person who paid such excess fee in the event the professional match, contest, or exhibition of boxing for which such fees were paid is not held.~~

43-4B-11.

(a) A participant, manager, trainer, second, timekeeper, referee, judge, announcer, physician, or matchmaker shall be licensed before directly or indirectly acting in such capacity in connection with any match involving a participant. A physician shall be licensed and shall maintain an unencumbered license in good standing and shall demonstrate satisfactory medical training or experience or a combination of both to the commission's executive director prior to working as the ringside physician. Each license shall expire on December 31 next following the date it was issued. The commission shall set fees as follows:

(1) Promoter or matchmaker — not to exceed \$250.00; and

(2) Any other license — not to exceed \$250.00.

~~Prior to participating in a professional match, contest, or exhibition of boxing supervised by the commission, referees, judges, timekeepers, matchmakers, boxers, managers, trainers, and each person who assists a boxer immediately before and after a match, contest, or exhibition of boxing and between rounds during a match, contest, or exhibition of boxing shall apply for and be issued licenses. Licenses shall be issued annually and shall expire on December 31 of each calendar year. Each applicant shall make application on a form provided by the commission and pay an annual license fee not to exceed \$250.00. Any boxer who has been licensed by the commission during a previous year shall be deemed to be an applicant for a license in any year for which such boxer has entered into a written contract to participate in a professional match, contest, or exhibition of boxing in this state upon the date of entering into such a contract. Any party to such a contract may notify the commission that such a contract has been signed.~~

(b) Except as provided in Code Section 43-4B-19, the commission shall have exclusive jurisdiction to issue, withhold, suspend, or revoke a license or permit required under this chapter.

(c) The commission or commission representative shall issue a license under this Code section only if:

(1) The commission or commission representative has determined to the best of its or his or her ability that the applicant has the training or skills necessary to perform in a manner appropriate to the license;

(2) The applicant has complied with all applicable requirements of this chapter and any rules and regulations promulgated pursuant to this chapter; and

(3) The commission or ~~its designated~~ commission representative has determined from information provided by the applicant and from any medical evaluation required by the commission that the health, welfare, and physical safety of the applicant will not be unduly jeopardized by the issuance of the license.

(d) The commission shall be authorized to adopt rules pursuant to this chapter which provide for background investigations of applicants for licensure under this chapter for the purposes of ensuring the accuracy of the information provided in the application; ensuring that there are no active or pending criminal or civil indictments against the applicant; and ensuring satisfaction of all other requirements of this chapter. The background investigation may include, but need not be limited to, the criminal and financial history of the applicant.

(e) A licensee shall disclose all information in his or her possession concerning any mental or physical disability, injury, illness, or incapacity of a participant in a match immediately after learning thereof to the commission, the official in charge, the attending physician, or the referee.

(f) Any person who violates this Code section shall be guilty of a misdemeanor and shall additionally be subject to the provisions of Code Sections 43-4B-19 and 43-4B-20.1.

43-4B-12.

In addition to the license required in Code Section 43-4B-11, each professional ~~boxer~~ participant who is a resident of this state or another state which has no ~~state boxing commission registry~~ is required to register with a ~~boxing~~ registry created or designated by the commission and renew his or her registration as prescribed by rules of the commission. At the time of registration and renewal, the ~~boxer~~ participant shall provide the ~~boxing~~ registry with a recent photograph of the ~~boxer~~ participant and the social security number of the ~~boxer~~ participant or, in the case of a foreign ~~boxer~~ participant, any similar citizen identification number or ~~boxer~~ participant number from the country of residence of the ~~boxer~~ participant, along with any other information the commission requires. The ~~boxing~~ registry shall issue a personal identification number to each ~~boxer~~ participant and such number shall appear on the identification card issued to the ~~boxer~~ participant as a result of registration. Each ~~boxer~~ participant is required to present to the ~~boxing~~ commission an identification card issued by the state in which he or she resides not later than the time of the weigh-in for a professional ~~match, contest, or exhibition event~~. The commission may charge a registration fee in an amount calculated to cover the administrative expense of such registration.

1 43-4B-13.

2 (a) The commission shall have the authority to refuse to grant a license to an applicant
3 upon a finding by a majority of the entire commission that the applicant has failed to
4 demonstrate the qualifications or standards for a license contained in this Code section or
5 under the laws, rules, and regulations under which licensure is sought. It shall be incumbent
6 upon the applicant to demonstrate to the satisfaction of the commission that he or she meets
7 all the requirements for the issuance of a license, and, if the commission is not satisfied as
8 to the applicant's qualifications, it may deny a license without a prior hearing; provided,
9 however, that the applicant shall be allowed to appear before the commission if he or she
10 so desires.

11 (b) The commission may, by majority vote, after prior notice to the holder of any state
12 license issued under this chapter and after affording such a holder an opportunity to be
13 heard, fine the license holder, revoke or suspend a state license, or take other disciplinary
14 action against the licensee, and:

15 (1) The commission shall, upon the recommendation of any officially designated
16 representative for reasons involving the medical or physical safety of any ~~professional~~
17 ~~boxer~~ participant licensed by the commission, summarily suspend any license previously
18 issued by the commission or take other disciplinary action against any licensee; provided,
19 however, that such licensee shall, after such summary suspension, be afforded an
20 opportunity to be heard, in accordance with the rules of the commission and Chapter 13
21 of Title 50, the 'Georgia Administrative Procedure Act.' Any such summary suspension
22 imposed against such a licensee may include, but shall not be limited to:

23 (A) Prohibiting any ~~boxer~~ participant from competing, appearing in, or participating
24 in any professional ~~match, contest, or exhibition~~ event within 60 days of having
25 suffered a knockout and from engaging in any event or contact sparring for training
26 purposes during the suspension period; or

27 (B) Prohibiting any ~~boxer~~ participant from competing, appearing in, or participating
28 in any professional ~~match, contest, or exhibition~~ event within 30 days of having
29 suffered a technical knockout ~~where evidence of head trauma has been determined by~~
30 ~~the attending ringside physician,~~ technical draw, or disqualification and from engaging
31 in any event or contact sparring for training purposes during the suspension period.

32 The length of any summary suspension invoked pursuant to subparagraph (A) or (B) of
33 this paragraph, upon recommendation of ~~the ringside~~ a physician, may be extended to any
34 number of days. Terms and conditions of the suspension or revocation may require that
35 the boxer submit to further medical evaluation as determined by the ~~ringside~~ physician;
36 and

1 (2) The commission may refuse to grant a license to an applicant, or may revoke or
2 suspend a license if any applicant:

3 (A) Has violated this chapter or the rules of the commission;

4 (B) Has committed fraud or deceit in securing any license or permit;

5 (C) Has made a misstatement of a material fact, fraudulently concealed a material fact,
6 or induced or aided another person in misstating or concealing any material fact in any
7 application or other proceeding under this chapter;

8 (D) Has failed to account for or pay over moneys belonging to others which have come
9 into his or her possession in connection with a match;

10 (E) Has failed to furnish to the proper party a copy of any contract or statement
11 required by this chapter or has breached such a contract;

12 (F) Has paid or agreed to pay any money or article of value to any licensee or permittee
13 for soliciting or for business secured or for rendering any service or the doing of any
14 of the acts forbidden by this chapter and the rules adopted pursuant to this chapter;

15 (G) Has loaned her or his license or permit to another person or has borrowed or used
16 the license or permit of another;

17 (H) Has employed a person who does not hold a license or permit as required by law;

18 (I) Has failed to maintain in force the bond required by this chapter or has failed to
19 deposit with the commission the required check, money order, or securities;

20 (J) Has been disciplined by the commission or similar agency or body of any
21 jurisdiction;

22 (K) Has failed to pay a fine imposed under this chapter;

23 (L) Is any person or business entity that has been convicted of any act, or that has a
24 trustee, partner, officer, director, or owner that has been convicted of any act, that
25 would constitute a violation of this chapter or would constitute any of the grounds set
26 forth in this chapter for suspension or revocation of a license or against whom such
27 charges are pending before any regulatory body; or

28 (M) Is any person or business entity that has been named in any indictment, or that has
29 a trustee, partner, officer, director, or owner that has been named in an indictment, for
30 any act that would constitute a violation of this chapter or a ground for suspension or
31 revocation of a license;

32 (3)(A) The commission shall refuse to grant a license to a promoter or shall revoke any
33 such license if the applicant or licensee has been convicted of, has pleaded guilty to, has
34 entered a plea of nolo contendere to, or has been found guilty of a felony in any
35 jurisdiction within ten years preceding the refusal or revocation, and such applicant or
36 licensee shall not be issued a permit or other required approval from the commission
37 for a period of ten years from the date of such conviction or plea.

1 (B) The commission may refuse to grant a license to a promoter or may revoke any
2 such license if the applicant or licensee has been convicted of, has pleaded guilty to, has
3 entered a plea of nolo contendere to, or has been found guilty of a misdemeanor crime
4 involving moral turpitude in any jurisdiction within the ten years preceding the refusal
5 or revocation, and such applicant or licensee may not be issued a permit or other
6 required approval from the commission for a period of ten years from the date of such
7 conviction or plea.

8 (C) Notwithstanding subparagraphs (A) and (B) of this paragraph, the commission may
9 refuse to grant a license to any applicant or may revoke any such license if the applicant
10 or licensee has been convicted of, has pleaded guilty to, has entered a plea of nolo
11 contendere to, or has been found guilty of a crime involving moral turpitude in any
12 jurisdiction within the ten years preceding the refusal or revocation.

13 (D) This paragraph shall apply, but shall not be limited, to dispositions under Article
14 3 of Chapter 8 of Title 42;

15 ~~(2)~~(4) The commission, its ~~secretary~~ executive director, or its duly authorized
16 representative may, at any time prior to the completion of a permitted professional ~~match,~~
17 ~~contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts, summarily
18 suspend or revoke the match permit or the license of any ~~specific boxer~~ participant should
19 it be determined by such person that the continuation of said professional ~~match, contest,~~
20 ~~or exhibition~~ event of boxing, kickboxing, or mixed martial arts may jeopardize the
21 health, welfare, morals, or safety of the citizens of this state or may jeopardize the health
22 or personal safety of any participant of such professional ~~match, contest, or exhibition~~
23 event of boxing, kickboxing, or mixed martial arts; provided, however, that such licensee
24 shall, after such summary suspension, be afforded an opportunity to be heard, in
25 accordance with the rules of the commission and Chapter 13 of Title 50, the 'Georgia
26 Administrative Procedure Act.';

27 (5) The commission shall suspend or fine, or both, as determined by the commission, any
28 participant who fails to appear at a match or fails to appear at a match at the designated
29 time for which the participant or the participant's manager has contracted and does not
30 provide a valid reason or, in the case of physical disability, furnish a physician's
31 certificate; and

32 (6) The commission shall revoke the license of any participant who intentionally strikes,
33 strikes at, touches in any way, or threatens to touch in any way any official; and such
34 license shall not be reinstated.

35 (c) The commission may revoke a suspension of a ~~boxer~~ participant if:

(1) The ~~boxer~~ participant was suspended pursuant to rules and regulations adopted pursuant to subparagraph (A) or (B) of paragraph ~~(2)~~ (7) of Code Section 43-4B-7 and has furnished proof of a sufficiently improved medical or physical condition; or

(2) The ~~boxer~~ participant furnishes proof that a suspension pursuant to subparagraph (D) of paragraph ~~(2)~~ (7) of Code Section 43-4B-7 was not or is no longer merited by the facts.

43-4B-14.

(a) No person may arrange, promote, organize, produce, or participate in a professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts without meeting the following requirements:

(1) Each ~~boxer~~ participant ~~must~~ shall be examined by a physician who ~~must then~~ shall certify that the ~~boxer~~ participant is physically fit to compete safely. Copies of each such certificate shall be provided to the commission or commission representative prior to the professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts. The commission ~~is~~ shall be authorized at any time to require a ~~boxer~~ participant to undergo a physical examination, including neurological or neuropsychological tests and procedures;

(2) A physician approved by the commission ~~must~~ shall be continuously present at ringside during every professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts. The physician shall observe the physical condition of the ~~boxers~~ participants and advise the referee with regards thereto;

(3) One or more ~~inspectors~~ officials appointed by the commission as duly authorized representatives of the commission shall be present at each professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts to ensure that the rules are strictly observed. An ~~inspector~~ official or other duly authorized representative of the commission ~~must~~ shall be present at the weigh-in and at the ring during the conduct of the professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts. ~~Officials~~ Inspectors and other duly authorized representatives of the commission shall have free access to the dressing rooms of the ~~boxers~~ participants;

~~(4) Each boxer~~ The promoter shall provide an insurance policy so that each participant shall be covered by a minimum of \$25,000.00 health and \$50,000.00 life insurance which will cover injuries and death sustained during the professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts; and

(5) The promoter shall provide that an ~~An~~ ambulance and medical personnel with appropriate resuscitation equipment ~~must~~ shall be continuously present at the site during any professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts.

1 (b) Any person who violates this Code section shall be guilty of a misdemeanor and shall
2 additionally be subject to the provisions of Code Sections 43-4B-19 and 43-4B-20.1.

3 43-4B-15.

4 (a) It shall be unlawful for any ~~boxer~~ participant to participate or attempt to participate in
5 a professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial
6 arts while under the influence of alcohol or any drug. A ~~boxer~~ participant shall be deemed
7 under the influence of alcohol or a drug for the purposes of this Code section if a physical
8 examination made during a period of time beginning not more than six hours prior to the
9 beginning of the professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or
10 mixed martial arts and ending not more than one hour after the completion of the
11 professional ~~match, contest, or exhibition of boxing~~ event reveals that the ~~boxer's~~
12 participant's mental or physical ability is impaired in any way as a direct result of the use
13 of alcohol or a drug.

14 (b) In a match that is a sanctioned championship title fight, or whenever the commission
15 representative has reason to believe that a participant has ingested or used a prohibited drug
16 or foreign substance, the commission representative shall request and the participant shall
17 provide, under the supervision of the attending physician or commission representative, a
18 sample or samples of his or her urine taken not less than one hour before the
19 commencement of the match or more than one hour after the conclusion of the match. No
20 participant shall use substances or methods which could alter the integrity of the urine
21 sample. Urine samples shall be taken in accordance with the protocol as agreed upon in
22 writing between the commission and the laboratory used for processing the urine samples.

23 (c) The commission may require urine samples, as provided in subsection (b) of this Code
24 section, to be tested randomly. If one participant in a match is tested randomly, the other
25 participant in the match shall also be tested.

26 (d) Failure or refusal to provide a urine sample immediately upon request shall result in
27 the revocation of the participant's license. Any participant who has been adjudged the
28 loser of a match and who subsequently refuses to or is unable to provide a urine sample
29 shall forfeit his or her share of the purse to the commission. Any participant who is
30 adjudged the winner of a match and who subsequently refuses to or is unable to provide a
31 urine sample shall forfeit the win and shall not be allowed to engage in any future match
32 in this state. A no-decision result shall be entered into the official record as the result of
33 the match. The purse shall be redistributed as though the participant found to be in
34 violation of this subsection had lost the match. If redistribution of the purse is not necessary
35 or after redistribution of the purse is completed, the participant found to be in violation of
36 this subsection shall forfeit his or her share of the purse to the commission.

(e) Any person who violates this Code section shall be guilty of a misdemeanor and shall additionally be subject to the provisions of Code Sections 43-4B-19 and 43-4B-20.1.

43-4B-16.

All buildings or structures used or intended to be used for holding or giving professional ~~matches, contests, or exhibitions~~ events of boxing, kickboxing, mixed martial arts, or professional wrestling shall be safe and shall in all manner conform to the laws, ordinances, and regulations pertaining to buildings in the city or unincorporated area of the county where the building or structure is situated.

43-4B-17.

(a) No person under the age of 18 years shall participate as a contestant in any professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts.

(b) A primary duty of the commission ~~is ensuring~~ shall be to ensure that any person whose health does not permit safely engaging in boxing, kickboxing, or mixed martial arts as a contestant is not licensed as a ~~professional boxer participant~~. The General Assembly finds that adequate protection of the health of persons who are 50 years of age or older requires additional precautions by the commission. A person who is 50 years of age or older shall be licensed as a ~~professional boxer participant~~ and permitted to participate in a professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts only if such person:

(1) Has participated as a contestant in at least ten professional matches ~~or contests~~ of boxing, kickboxing, or mixed martial arts in the immediately preceding ten years, including at least four professional matches ~~or contests~~ of boxing, kickboxing, or mixed martial arts in the immediately preceding four years; and

(2) Is declared medically and physically able to participate as a contestant in a professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts by a physician who has conducted a more rigorous examination than examinations performed in accordance with this chapter for persons who are younger than 50 years of age.

(c) The commission shall promulgate and adopt rules and regulations for the more rigorous examination required by this Code section for persons who are 50 years of age or older.

43-4B-18.

The commission shall have jurisdiction over any professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, or mixed martial arts which occurs or is held within this state, is filmed in this state, or is broadcast or transmitted from this state.

1 43-4B-19.

2 (a) Whenever it may appear to the commission that any person is violating or has violated
3 any provision of this article or Article 1 of this chapter and that proceedings would be in
4 the public interest:

5 (1) Subject to notice and opportunity for hearing in accordance with Chapter 13 of Title
6 50, the 'Georgia Administrative Procedure Act,' unless the right to notice is waived by the
7 person against whom the sanction is imposed, the commission may:

8 (A) Issue a cease and desist order prohibiting any violation of this article or Article 1
9 of this chapter;

10 (B) Issue an order against a person who violates this article or Article 1 of this chapter,
11 imposing a civil penalty up to a maximum of \$1,000.00 per violation; or

12 (C) Issue an order suspending or revoking the license of the person violating this article
13 or Article 1 of this chapter; or

14 (2) Upon a showing by the commission in any superior court of competent jurisdiction
15 that a person has violated or is about to violate this article or Article 1 of this chapter, a
16 rule promulgated under this article or Article 1 of this chapter, or an order of the
17 commission, the court may enter or grant any or all of the following relief:

18 (A) A temporary restraining order or a temporary or permanent injunction;

19 (B) A civil penalty up to a maximum of \$2,000.00 per violation of this article or
20 Article 1 of this chapter;

21 (C) A declaratory judgment;

22 (D) Restitution to any person or persons adversely affected by a defendant's action in
23 violation of this article or Article 1 of this chapter; or

24 (E) Other relief as the court deems just or reasonable.

25 (b) Unless the commission determines that a person subject to this article intends to depart
26 quickly from this state or to remove his or her property from this state or to conceal his or
27 her person or property in this state or that there is immediate danger of harm to citizens of
28 this state or another state, the commission shall give notice in writing that such proceedings
29 are contemplated and allow such person a reasonable opportunity to appear before the
30 commission and execute an assurance of voluntary compliance. The determination of the
31 commission under this subsection shall be final and not subject to review.

32 (c) Procedures relating to hearings, notice, counsel, subpoenas, records, enforcement
33 powers, intervention, rules of evidence, decisions, exceptions, review of initial decisions,
34 final decisions, and judicial review of decisions shall be governed by Chapter 13 of Title
35 50, the 'Georgia Administrative Procedure Act,' unless the provisions of such chapter are
36 contrary to the express provisions of this article or Article 1 of this chapter.

43-4B-20.

(a) A promoter holding a ~~match, contest, or exhibition~~ professional event of boxing, kickboxing, or mixed martial arts shall, within ~~three~~ ten business days after the ~~match~~ event, file with the commission a written report which includes the number of tickets sold, the amount of gross receipts, the amount of gross proceeds, and any other facts the commission may require.

For the purposes of this Code section, total gross receipts include:

(1) The face value of all tickets sold and complimentary tickets issued, provided, or given; and

(2) The face value of any seat or seating issued, provided, or given in exchange for advertising, sponsorships, or anything of value to the promotion of an event.

~~Within ten days following the match, contest, or exhibition of boxing, the promoter shall remit to the commission a tax payment in the amount of 5 percent of the gross proceeds exclusive of any federal taxes.~~

~~(b) A promoter who sells, transfers, or extends to another the rights to telecast by pay per view for viewing in this state, whether the telecast originates inside or outside this state, a match, contest, or exhibition of boxing that would be subject to regulation by the commission in accordance with this chapter if the match, contest, or exhibition were held in this state, shall, within three business days after the sale, transfer, or extension of such rights in whole or in part, file with the commission a written report that includes the gross price charged for the rights to telecast by pay per view, the number of tickets sold, the amount of gross receipts, and any other facts the commission may require.~~

~~(c)~~(b) Any written report required to be filed with the commission under this Code section shall be postmarked within ~~three~~ ten business days after the conclusion of the ~~match or telecast, if the telecast is later than the match,~~ event and an additional five days shall be allowed for mailing.

~~(d)~~(c) Each promoter subject to subsection (b) of this Code Section shall remit to the commission within ten days following a match, contest, or exhibition The written report shall be accompanied by a tax payment in the amount of 5 percent of total gross receipts; ~~as defined in subparagraph (A) of paragraph (8) of Code Section 43-4B-1, exclusive of any federal taxes; except that the tax payment derived from the gross price charged for the sale or lease of pay per view telecasting and motion picture rights shall not exceed \$40,000.00 for any single event.~~

~~(e)~~(d)(1) Any promoter who willfully makes a false and fraudulent report under this Code section ~~is~~ shall be guilty of perjury and, upon conviction, ~~is~~ shall be subject to punishment as provided by law. Such penalty shall be in addition to any other penalties imposed by this chapter.

(2) Any promoter who willfully fails, neglects, or refuses to make a report or to pay the taxes as prescribed or who refuses to allow the commission to examine the books, papers, and records of any promotion ~~is~~ shall be guilty of a misdemeanor.

~~(f)~~(e) The commission shall remit all tax payments to the general treasury of the state.

(f) Any promoter or person associated with or employed by any promoter to destroy any ticket to an event or any ticket stub, whether sold or unsold, within six months after the date of the event, except upon prior written authorization of the commission shall be guilty of a misdemeanor.

(g) Any promoter that sells or causes to be sold more tickets of admission for any event than can be accommodated by the seating capacity of the premises where the event is to be held shall be guilty of a misdemeanor.

(h) A promoter of a professional event of boxing, kickboxing, or mixed martial arts shall not be required to pay the taxes specified in this Code section when the participants are not paid greater than \$100.00 each and:

(1) The event is arranged entirely by a charitable or religious organization as defined in Code Section 43-17-2; or

(2) The event is arranged for a charitable purpose as defined in Code Section 43-17-2.

~~43-4B-21.~~ 43-4B-20.1.

(a) Whenever the Attorney General has reasonable cause to believe that a person is engaged in a violation of this article, the Attorney General may bring a civil action requesting such relief, including a permanent or temporary injunction, restraining order, or other order against such person as the Attorney General determines to be necessary to restrain the person from continuing to engage in, sanction, promote, or otherwise participate in a professional ~~match, contest, or exhibition~~ event of boxing, kickboxing, mixed martial arts, or professional wrestling in violation of this article.

(b)(1) Any manager, promoter, matchmaker, or licensee who knowingly violates or coerces or causes any other person to violate any provision of this article shall, upon conviction, ~~be imprisoned for not more than one year or fined not more than \$20,000.00; or both.~~

(2) Any member or employee of the commission or any person who administers or enforces this chapter or rules and regulations promulgated pursuant to this chapter who knowingly violates Code Section 43-4B-14 or ~~Code Section~~ 43-4B-15 shall, upon conviction, ~~be imprisoned for not more than one year or fined not more than \$20,000.00; or both.~~

(3) Any ~~professional boxer~~ participant who knowingly violates any provision of this article except Code Section 43-4B-15 shall, upon conviction, be fined not more than \$1,000.00 for each violation.

(4) Any ~~professional boxer~~ participant who violates the provisions of Code Section 43-4B-15 may be punished by a fine not to exceed \$25,000.00 together with a percentage of the purse not to exceed 15 percent for each violation.

(c) ~~Unarmed combat, as defined in Code Section 43-4B-1, is a misdemeanor of a high and aggravated nature.~~

(d) ~~Any person who promotes~~ Promotion of unarmed combat, as defined in Code Section 43-4B-1, is shall be guilty of a misdemeanor for the first offense; a high and aggravated misdemeanor for the second offense; and a felony for the third and subsequent offenses; ~~punishable.~~ Felony punishment, upon conviction, shall be by a fine not to exceed \$10,000.00 or imprisonment not to exceed two years, or both ~~such fine and imprisonment.~~

ARTICLE 2A

43-4B-20.5.

(a) No person shall promote or hold a professional wrestling event within this state without first applying for and obtaining a promoter's license issued by the commission. Licenses shall be issued annually and shall expire on December 31 of each calendar year.

(b) Promoters shall apply to the commission for a license required by subsection (a) of this Code section on a form provided by the commission. The application shall be accompanied by a nonrefundable fee of \$100.00.

(c) The promoter shall file with the commission a surety bond or cash equivalent in the minimum amount of \$5,000.00. However, this amount may be lowered by the commission.

(d) While promoting a professional wrestling event in this state, the promoter shall:

(1) Hold a valid license issued by the commission as a professional wrestling promoter;

(2) File a pre-event report, as specified by the commission, with the commission at least ten days before each professional wrestling event. The report shall include:

(A) The name of the promoter and event;

(B) The time, date, and location of the event;

(C) The capacity of the venue; and

(D) A list of all professional wrestlers to be involved in the event and the dates of licensure for each;

(3) File a post-event report, as specified by the commission, with the commission no more than 14 days after the professional wrestling event. The report shall include:

1 (A) The name of the promoter and event;

2 (B) The time the event began and ended;

3 (C) A list of professional wrestlers who actually participated;

4 (D) A list of professional wrestlers who bled and did not submit the results of a blood
5 test as set forth in subsection (e) of Code Section 43-4B-20.6 and an affirmation that
6 such wrestlers' performances ceased immediately; and

7 (E) A list of any instance:

8 (i) Which required actual medical attention by a physician in any way involving a
9 professional wrestler; or

10 (ii) Involving action by police resulting in an arrest where a professional wrestler was
11 involved in any way in the incident giving rise to the arrest; and

12 (4) Ensure that wrestlers performing in the professional wrestling event hold valid
13 licenses issued by the commission and have submitted to the commission the appropriate
14 medical information as required by this chapter.

15 43-4B-20.6.

16 (a) No professional wrestler shall perform in a professional event within this state without
17 first applying for and obtaining a professional wrestling license issued by the commission.
18 Licenses shall be issued annually and shall expire on December 31 of each calendar year.

19 (b) The professional wrestler shall apply to the commission for a license required by
20 subsection (a) of this Code section on a form provided by the commission.

21 (c) All professional wrestlers performing in an event shall be at least 18 years old and shall
22 only perform in a match involving wrestling skills and techniques inside the separation
23 barrier defined in Code Section 43-4B-20.7 or in other areas of the venue where spectators
24 are not physically present.

25 (d) The professional wrestler's application for licensure shall be accompanied with
26 documentation, signed by a licensed physician, of passing a basic medical exam. The
27 contents of the documentation shall be set by rule of the commission, provided that any
28 form which contains the standard medical information associated with a basic physical
29 examination shall be accepted by the commission.

30 (e) A licensed professional wrestler may present, prior to the event, the results of an
31 original copy of a blood test dated within 190 days of the event which demonstrates that
32 the wrestler is free from Hepatitis B, Hepatitis C, HIV, or any other communicable disease.
33 If such documentation is not provided prior to the event and the professional wrestler
34 bleeds, that wrestler's performance shall cease immediately.

35 (f) No professional wrestler shall perform while impaired by drugs or alcohol.

1 (g) The use of anabolic steroids by a professional wrestler shall be prohibited unless
2 prescribed by a doctor for a specific medical condition.

3 43-4B-20.7.

4 When a professional wrestling event occurs within this state, the promoter shall take
5 necessary steps to ensure the safety, health, and welfare of the wrestlers and the spectators.

6 Such standards shall include the following:

7 (1) At least two security persons dressed and clearly identified as security shall be
8 present;

9 (2) There shall be a separation barrier between the ring and the spectators. The separation
10 barrier shall be at least five feet from the ring, be at least three feet high, and be of sturdy
11 construction;

12 (3) The ring mats shall be cleaned, swept, and disinfected after each wrestling event and
13 shall be replaced by the promoter at least once per year;

14 (4) Glass shall not be permitted to be used in any event;

15 (5) Fire shall not make contact with any wrestler during an event; and

16 (6) Illegal drugs and alcoholic beverages shall not be permitted in the locker rooms,
17 dressing areas, or backstage area during a wrestling event.

18 43-4B-20.8.

19 (a) Subject to the limitations of subsection (d) of this Code section, the commission shall
20 have jurisdiction over any professional wrestling event which occurs or is held within this
21 state, is filmed in this state, or is broadcast or transmitted from this state.

22 (b) The commission shall have the authority to refuse to grant a license to an applicant or
23 may revoke or suspend a license based on the guidelines set forth in Code Section
24 43-4B-13 or if the applicant has:

25 (1) Violated any provision of this article;

26 (2) Tested positive for a communicable disease which may be transmitted by blood; or

27 (3) Tested positive for a prohibited drug within 60 days preceding a match or event.

28 (c) The commission or its executive director may appoint one or more officials as duly
29 authorized representatives of the commission to ensure that the provisions of this article
30 are strictly observed. The officials shall have access to all areas of the venue including the
31 locker rooms, dressing areas, and backstage area. Upon request of the promoter, a member
32 or members of the event staff shall be allowed to accompany the officials. For any event
33 in which it is anticipated that there will be more than 1,000 spectators present, the officials
34 shall leave the backstage area at least one hour prior to the start of the event, and officials

1 shall not have access to the locker rooms or dressing areas at any time when performers are
2 dressing, showering, or preparing for a performance.

3 (d) Except as is expressly provided under this Code section, the commission shall not have
4 any jurisdiction to control, direct, or regulate the manner in which the professional
5 wrestling event is conducted, including the conduct or dress of the professional wrestlers
6 while engaged in the event.

7 43-4B-20.9.

8 (a) Any person who promotes a professional wrestling match or event in this state without
9 first having procured an appropriate license in accordance with Code Section 43-4B-20.5
10 shall be guilty of a misdemeanor.

11 (b) Any person who performs as a professional wrestler in a professional wrestling match
12 or event in this state without first having procured an appropriate license in accordance
13 with Code Section 43-4B-20.6 shall be guilty of a misdemeanor.

14 (c) Any person who knowingly and intentionally makes a false statement of a material fact
15 in any application for a license issued under Code Section 43-4B-20.5 or 43-4B-20.6 shall
16 be guilty of a misdemeanor.

17 (d) The remedies and sanctions set forth in Code Sections 43-4B-19 and 43-4B-20.1 shall
18 apply to any violation of this article."

19 **SECTION 2.**

20 Said title is further amended by repealing in its entirety Article 4 of Chapter 4B, relating to
21 the regulation of martial arts and wrestling.

22 **SECTION 3.**

23 All laws and parts of laws in conflict with this Act are repealed.